

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants: Altenschöfer et al.

Title: TRANSDERMAL  
GRANisetron

Appl. No.: 10/544,259

International Filing Date: 2/5/2004  
Filing Date:

Filing or  
371(c) Date: December 9, 2005

Examiner: Tran, Susan T.

Art Unit: 1618

Conf. No: 1348

**REQUEST FOR CONTINUED EXAMINATION (RCE)**  
**TRANSMITTAL**

Mail Stop RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application. This RCE and the enclosed items listed below are being filed prior to the earliest of: (1) payment of the issue fee (unless a petition under 37 C.F.R. § 1.313 is granted); (2) abandonment of the application; or (3) the filing of a notice of appeal to the U.S. Court of Appeals for the Federal Circuit under 35 U.S.C. §141, or the commencement of a civil action under 35 U.S.C. §145 or §146 (unless the appeal or civil action is terminated).

1. Submission required under 37 C.F.R. §1.114: (check items that apply)

a. Previously submitted:

Please enter and consider the amendment and/or reply previously filed on \_\_\_\_.

Please consider the Affidavit(s)/Declaration(s) previously filed on \_\_\_\_ but not considered.

Please consider the arguments in the Appeal Brief or Reply previously filed on \_\_\_\_.

Other \_\_\_\_.

b. Enclosed are:

Communication (19 pgs.) and Attachment (4 pgs.).

Affidavit(s)/Declaration(s).

Information Disclosure Statement.

Form PTO/SB/08 with copies of \_\_\_\_ listed reference(s).

Other.

Miscellaneous:

Suspension of action of the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of \_\_\_\_ months.

The filing fee is calculated below:

	Claims as Amended	Previously Paid For	Extra Claims Present	Rate	Fee Totals
RCE Fee 1.17(e):				\$810.00	= \$810.00

MARKS0801  
(041376-0801)

Total Claims:	33	-	32	= 1	x	\$52.00	=	\$52.00
Independents	1	-	3	= 0	x	\$220.00	=	\$0.00
First presentation of any Multiple Dependent Claims:					+	\$390.00	=	\$0.00
					CLAIMS FEE TOTAL:			= \$862.00

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[ X ] Applicant hereby petitions for an extension of time under 37 C.F.R. §1.136(a) for the  
total number of months checked below:

[ X ] Extension for response filed within the first month:	\$130.00	1	\$130.00	
[ ] Extension for response filed within the second month:	\$490.00		\$0.00	
[ ] Extension for response filed within the third month:	\$1,110.00		\$0.00	
[ ] Extension for response filed within the fourth month:	\$1,730.00		\$0.00	
[ ] Extension for response filed within the fifth month:	\$2,350.00		\$0.00	
EXTENSION FEE SUBTOTAL:				\$130.00
EXTENSION FEE ALREADY PAID:				- \$0.00
EXTENSION FEE TOTAL				\$130.00
CLAIMS AND EXTENSION FEE TOTAL:				\$992.00
[ X ]	Small Entity Fees Apply (subtract ½ of above):			\$496.00
[ ]	Suspension of action requested under 37 C.F.R. § 1.103(c)			\$0.00
TOTAL FEE:				\$496.00

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The above-identified fees of \$496.00 are being paid by credit card via EFS-Web.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by the credit card payment instructions in EFS-Web being incorrect or absent, resulting in a rejected or

incorrect credit card transaction, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

Respectfully submitted,

Date 11/6/08

By Stephan E. Reiter

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Facsimile: (858) 792-6773

Stephen E. Reiter  
Attorney for Applicant  
Registration No. 31,192